

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3022

To amend title 10, United States Code, to restore the eligibility of former members of the uniformed services who are entitled to retired or retainer pay or equivalent pay, or a dependent of such members, and who are eligible for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for prescription pharmaceuticals through the military medical system.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 1993

Mr. HALL of Texas introduced the following bill; which was referred to the  
Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to restore the eligibility of former members of the uniformed services who are entitled to retired or retainer pay or equivalent pay, or a dependent of such members, and who are eligible for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for prescription pharmaceuticals through the military medical system.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SPECIAL PHARMACEUTICAL PROGRAM FOR**  
2 **CERTAIN COVERED BENEFICIARIES.**

3 (a) PROVISION BY MAIL OR PRESCRIPTION CARD RE-  
4 QUIRED.—(1) Chapter 55 of title 10, United States Code,  
5 is amended by inserting after section 1074c the following  
6 new section:

7 **“§ 1074d. Pharmaceutical program for certain cov-**  
8 **ered beneficiaries**

9 “(a) PROVISION BY MAIL OR PRESCRIPTION CARD.—  
10 The Secretary of Defense, in consultation with the other  
11 administering Secretaries, shall establish a program to  
12 provide prescription pharmaceuticals to eligible persons  
13 described in subsection (b) by the following methods:

14 “(1) Prescription pharmaceuticals by mail in  
15 connection with medical care furnished to such per-  
16 sons through facilities of the uniformed services  
17 under this chapter.

18 “(2) Prescription pharmaceuticals obtainable  
19 through use of a prescription card acceptable at re-  
20 tail pharmacies in the communities in which such  
21 persons reside.

22 “(b) ELIGIBLE PERSONS.—A person eligible to ob-  
23 tain pharmaceuticals under the program established under  
24 subsection (a) is any person who would be eligible for med-  
25 ical care under a contract for medical care entered into

1 under section 1086 of this title except for operation of  
2 subsection (d)(1) of such section.

3 “(c) PHARMACEUTICALS OFFERED; PURCHASE  
4 FEES.—(1) The Secretary of Defense, in consultation with  
5 the other administering Secretaries, shall—

6 “(A) determine the pharmaceuticals that may  
7 be obtained by eligible persons under the program  
8 established under subsection (a); and

9 “(B) establish an appropriate fee, charge, or  
10 copayment to be paid by such persons for pharma-  
11 ceuticals obtained under the program.

12 “(2) Fees, charges, or copayments required under  
13 paragraph (1) may not exceed the fees, charges, or  
14 copayments established under subsection (d) of section  
15 702 of the National Defense Authorization Act for Fiscal  
16 Year 1993 (Public Law 102–484; 10 U.S.C. 1079 note)  
17 for participation in the pharmaceutical demonstration  
18 project established under subsection (a) of such section  
19 or the retail pharmacy network included in a managed  
20 health care program under subsection (b) of such sec-  
21 tion.”.

22 (2) The table of sections at the beginning of such  
23 chapter is amended by inserting after the item relating  
24 to section 1074c the following new item:

“1074d. Pharmaceutical program for certain covered beneficiaries.”.

1       (b) OPERATION OF PROGRAM.—The Secretary of De-  
2 fense shall ensure that the program to provide pharma-  
3 ceuticals required by section 1074d of title 10, United  
4 States Code, as added by subsection (a), is in nation-wide  
5 operation not later than 180 days after the date of the  
6 enactment of this Act.

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